

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., *et al.*

Debtors.

Chapter 11

Case No. 08-35653-KRH

Jointly Administered

Judge Kevin R. Huennekens

NOTICE WITHDRAWING MOTION TO FILE LATE PROOF OF CLAIM

COMES NOW Michael T. Chalifoux (“Chalifoux”), through his undersigned counsel, and in light of the Second Supplemental Order on Debtors’ Ninth Omnibus Objection to Certain (I) Late Claims and (II) Late 503(b)(9) Claims entered January 27, 2010 [Docket No. 6373], hereby withdraws his Motion to File Late Proof of Claim [Docket No. 2676].

Date: February 4, 2010

Respectfully submitted,

/s/ Richard E. Hagerty

Richard E. Hagerty

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CERTIFICATE OF SERVICE

This is to certify that on this 4th day of February, 2010, I have served the foregoing Amended Notice of Motion (i) electronically or by first class mail postage prepaid on the “2002” and “Core” lists and (ii) through the Court’s ECF System.

/s/ Richard E. Hagerty
Richard E. Hagerty, VSB No. 47673

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